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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,318	11/26/2001	Robert J. Gallagher	100110474-2	9510

7590 08/02/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

ZEENDER, FLORIAN M

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,318

Applicant(s)

GALLAGHER ET AL.

Examiner

F. Ryan Zeender

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 20-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-33 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 20-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chong US5335169, in view of Manzi et al. US6298333 and Barnes et al. US5970475.

Chong discloses a program controlled apparatus for identifying taxable financial transactions, collecting data based on the transactions, and calculating any taxes due on the transactions, the apparatus comprising: a first module having a directory of all jurisdictions by "tax authority code" (based on customer location; See Col. 4, lines 2 through Col. 5, line 7) requiring payment of taxes; a second module 34 having a directory identifying the taxability of goods by each jurisdiction through the use of codes; a third module having a directory of tax rates 33, a server having programming for determining all taxes due on each transaction (See for example Cols. 3-4), and further teaches the use of sales type codes (See for example Col. 4, lines 37-40) which would include commodity codes.

Chong lacks the teaching of the specific hardware configuration including the use of multiple servers on a network with first, second, and third databases; a sales tax and use tax remittance module including the specifics of transmitting payment to a government authority; and the identity of use and rental tax rates.

Barnes et al. '475 teach an e-commerce system providing e-content to end users utilizing multiple servers within a network including a supplier processor server 40, a supplier catalog server 42, a customer server 34 (See for example Col. 7, lines 1-20), a counter server (See Fig. 6A, numeral 52), an automated clearinghouse server 50, bank

server 18; and further teaching accounting (see for example numerals 74/46/131e; Fig. 20; and Col. 10, lines 4-26; Col. 9, lines 38-40) including sales tax calculation (See Fig. 24), security 94/118 (See for example Col. 9, lines 4-14), and settlement of funds through an automated clearing house 88 (See for example Col. 9, lines 60-65); and still further teaching that it is old and well known to utilize multiple databases (See for example numerals 84/98/54/44/46 as well as Col. 2, line 61) with a network system.

Manzi et al. teach the identification of use and rental tax rates (See for example the abstract) in a system that automatically determines taxes due, and further teaches the payment of taxes to tax authorities (See figure 1, "18") and updating records to reflect taxes paid (See abstract; Col. 2, lines 16-18; and Col. 2, lines 55-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chong to include the use of multiple servers on a network; in view of Barnes et al., in order to provide a secure, user-friendly, e-commerce system that can be used with existing computer systems (See Barnes et al., Col. 1, lines 52-67).

It would have been a further obvious design choice to one of ordinary skill in the art to have first, second, and third databases as the use of multiple databases is well known in the art of computer technology (as evidenced by the Barnes reference) in order to provide a desired result.

It would have been further obvious to one of ordinary skill in the art at the time of the invention to modify Chong to include tax rates for usage and renting and to further a means to periodically pay the taxes due to various tax authorities, in view of Manzi, in

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order to provide a means to improve the "timing" of payment of such taxes to authorities (See Manzi Col. 1, lines 48-50).

Allowable Subject Matter

Claims 20-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 27-33 are allowed.

Response to Arguments

Applicant's arguments filed 5/22/2006 have been fully considered but they are not persuasive.

The applicant has argued that the Examiner has not pointed out where in the references the relied upon limitations are found. In an attempt to satisfy the applicant's concerns, the Examiner has added reference numbers, column numbers, and line numbers to the rejection to more clearly point out some of the teachings of the relied upon references. The combination of references do anticipate the limitations claimed in claim 1 and the rejection remains proper.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (571) 272-6790. The examiner can normally be reached Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The receptionist's phone number for the Technology center is (571) 272-3600.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

F. Zeender
Primary Examiner, A.U. 3627
July 27, 2006

 7/27/06
F. RYAN ZEENDER
PRIMARY EXAMINER